



January 25, 2013

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## **Rokita: Federal Court Made Right Call on Obama Labor Appointments, in Line with January 2012 Letter**

(Washington, D.C.) – Rep. Todd Rokita today issued the following statement regarding the U.S. Appeals Court decision that ruled ‘recess’ appointments to the National Labor Relations Board (NLRB) by President Obama in 2012 were unconstitutional. In January 2012, Rokita led 26 House colleagues in the 112<sup>th</sup> Congress in sending a letter to the president in protest of the appointments, calling them “unconstitutional and an egregious display of executive overreach.”

*“The Obama Administration has continually disregarded the constitutional authority of Congress for oversight of their actions. Today’s decision is a shining example of our republic and Constitution working as it was designed.*

*“Following the appointments, I, along with 26 of my colleagues in the 112<sup>th</sup> Congress, sent a letter objecting to the NLRB appointments, as well as the similar appointment of Mr. Richard Cordray to the Consumer Financial Protection Bureau (CFPB). These appointments showed an utter disregard for our Constitution and deserved to be struck down.*

*“The House stands ready to work with the president on finding proper appointments to these key positions, but I refuse to stand idly by and let the White House act by fiat instead of law,”* said Rokita.

In addition to requesting that the President retract his appointments and refrain from making similar appointments in the future, Rokita’s 2012 letter called into question the Department of Justice’s Office of Legal Counsel’s assertion that the president has the power to determine when the Senate is available to perform its constitutional obligations. In the letter, Rokita and his colleagues called that “an extraordinary claim which has no basis in the Constitution. Nowhere is the executive branch vested with this power. Instead, both Houses are vested with the power to determine their own rules and proceedings. In this case, both Chambers have determined that pro forma sessions are legitimate sessions.”

[Read the January 2012 letter here.](#)